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*Attorney for Defendant C/T  
Install America, LLC*

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

VIRGINIA COLE, *on behalf of herself and  
others similarly situated,*

Plaintiff,

vs.

C/T INSTALL AMERICA, LLC

Defendant.

Case No.: 5:25-cv-03531-CH

Hon. Catherine Henry, U.S.D.J.

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**DEFENDANT C/T INSTALL AMERICA, LLC'S MOTION TO DISMISS FOR  
FAILURE TO STATE A CLAIM**

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Defendant C/T Install America, LLC ("Install America"), by and through its undersigned counsel, hereby files this Motion to Dismiss for Failure to State a Claim, pursuant to Federal Rule of Civil Procedure 12(b)(6). In support of this Motion, Install America incorporates the attached Memorandum of Law and Declaration of Andrew W. Muir. Install America respectfully requests that this Court dismiss the Complaint (Dkt. No. 1) with prejudice.

Dated: September 3, 2025

/s/ Andrew W. Muir

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LLC*

**CERTIFICATE OF SERVICE**

I, Andrew W. Muir, hereby certify that I caused a true and correct copy of Defendant's Motion to Dismiss, Memorandum in Support thereof, Declaration of Andrew W. Muir, and Proposed Order, to be served upon Plaintiff's counsel in accordance with Federal Rules of Civil Procedure 5(b).

Dated: September 3, 2025

/s/ Andrew W. Muir

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